

UNITED STATES DEPARTMENT OF AGRICULTURE

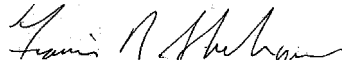
Farm Service Agency
Washington, DC 20250

Notice PM-2244

For: APFO, State and County Offices, and FSA Service Centers

**Authorizing Maxiflex Work Schedules (WS's) for
Nonbargaining Unit FSA Field Offices**

Approved by: Acting Deputy Administrator, Management



1 Overview

A

Background

Office directors, managers, and State Office supervisors are delegated the authority to administer WS policies **in nonbargaining unit States.**

B

Purpose

This notice:

- provides definitions for WS terminology
- describes all approved FSA WS options
- revises and clarifies some WS policies
- provides directors, managers, and supervisors with tools and information to help manage maxiflex WS's.

Note: Bargaining unit employees, where exclusive representation exists, may request WS bargaining to the extent allowed by applicable statutes and contract terms.

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Disposal Date

May 1, 2003

Distribution

APFO and State Offices; State Offices relay to
County Offices and Service Centers

1 Overview (Continued)

C

FSA Approved WS Options

The following table briefly describes each of the approved WS options.

Option	Explanation
Standard Flexitour	<p>Employee works 8-hour days, 5 days a week, for a total of 40 hours a week. Arrival and departure times each workday are fixed, there is no glide time flexibility.</p> <p>Credit hours may not be earned.</p>
CWS 5/4/9	<p>Employee works eight 9-hour days and one 8-hour day, with 1 nonworkday each pay period. Arrival and departure times each workday are fixed, there is no glide time flexibility.</p> <p>Credit hours may not be earned</p>
Maxiflex	<p>Full-time (FT) employees must work an 80-hour pay period of 10 or fewer workdays per pay period, Monday through Friday. Employees must establish:</p> <ul style="list-style-type: none"> • daily work hours of no less than 6 hours and no more than 10 hours on a given workday, excluding lunch breaks and credit hours • an approximate daily arrival time on FSA-956. <p>Daily work hours, including glide time, must cover core hours. See subparagraph 4 C for a definition of glide time and subparagraph 3 C for core hours.</p> <p>Minute-to-minute time accounting shall be documented on FSA-958.</p> <p>Employees working a maxiflex WS may request to work a 5/4/9 or 4/10 “like” WS or even an 8 hour day, 5 days a week on a maxiflex schedule, but glide time must be allowed.</p>

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1 Overview (Continued)

D

Contacts

If there are any questions about this notice, contact the appropriate office according to the following table.

Subject	Location	Contact
Notice & WS policy questions	FSA Service Centers and County Offices	State Office contact
	APFO and State Offices	Sally Reed, HRD at 202-418-9032 FAX: 202-418-9129 E-Mail address: Sally_Reed @wdc.fsa.usda.gov
PC-TARE questions and T&A questions	FSA Service Centers and County Offices	State Office T&A contact
	APFO and State Offices	Carolyn Layden, KCAO, PD at 816-926-6709

2 Service Centers

A

FSA Service Center Offices

The FSA Acting Administrator:

- asks that Farm Loan Manager's (FLM's) and CED's work together to establish common WS policies for all on-site and off-site employees, both GS and CE, reporting to the **same** Service Center
 - encourages Service Center managers to work closely with the State and County Food and Agriculture Council Committees and other USDA managers to ensure that Service Center WS policies are fairly and equitably managed for the benefit of all Service Center employees.
-

B

Service Center WS Flexibility

The different agencies that staff the Service Centers have different missions and customer service needs. FSA employees shall understand that it may not be possible for all employees of a Service Center to have the same amount of WS flexibility, but there should not be an unfair burden placed on the employees of any Service Center agency to maintain office coverage or official office hours on Mondays and Fridays, the days most employees select as their nonworkdays.

The amount of WS flexibility will depend, in large part, on the number of employee's in an office or center. Service Centers with a large staff will be able to allow more flexibility than Service Centers or offices with smaller staffs.

3 General WS Policy

A

Daily Work Hours

Daily work hours are those hours during which an employee must establish their WS. This applies to all FSA WS options.

Policy: Established daily work hours shall begin no earlier than 6 a.m. and end no later than 6 p.m. on FSA-956. For an employee working maxiflex, their daily work hours begin upon arrival at work, unless a.m. leave has been approved.

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3 General WS Policy (Continued)

B

Official Office Hours

Official office hours are those hours during which FSA services shall be available to the public.

Policy: Official office hours shall be 8 a.m. to 4:30 p.m., Monday through Friday, unless otherwise decided by SED for State Offices, APFO Director, or STC based on recommendations from CED's or Service Center managers.

Note: Using maxiflex WS's should enable some offices or Service Centers to extend their customer service hours, that is, open earlier than 8 a.m. or stay open later than 4:30 p.m.

C

Core Hours

Core hours are those daily hours during which a **FT** employee must be at work or on approved leave, except for nonworkdays.

Policy: Core hours:

- **shall be 9 a.m. until 3:30 p.m.**, which allows for a 6-hour minimum workday
- do not apply to part-time (PT) employees, unless they are required to work core hours
- includes a 30-minute **unpaid** lunch break.

Note: See important **lunch break** information in subparagraph D.

Morning Flexible Time Band	Core Time	Afternoon Flexible Time Band
6:00 a.m. to 9:00 a.m.	9:00 a.m. to 3:30 p.m.	3:30 p.m. to 6:00 p.m.

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3 General WS Policy (Continued)

D

Lunch Breaks

All daily WS's of 6 hours or more, must include a 30-minute unpaid lunch break. Managers and supervisors may not force an employee to work more than 6 hours without a lunch break. Also, employees **cannot**:

- work through their lunch break and expect to leave work before completing their scheduled daily work hours, unless they are **approved** to take leave
- claim overtime or compensatory time during their lunch break.

Policy: Lunch breaks shall be taken between 11:30 a.m. and 1:30 p.m. The scheduling of lunch breaks within an office shall be worked out informally between the employees and their office manager or supervisor.

Note: Managers or supervisors may approve an established or occasional lunch break of 45 or 60 minutes, but the employee must make up the extra lunch time at the end of the **same** scheduled workday, take leave, or use credit hours.

Continued on the next page

3 General WS Policy (Continued)

E

Using SF-71's

NASCOE has requested that directors, managers, and supervisors be allowed the **option** of approving leave requests verbally or by e-mail, **when the leave requested is for less than 1 workday**. Leave for 1 workday or more shall require using and approving SF-71.

Policy: Each office manager or supervisor, who elects to implement the above option, shall maintain a separate informal "log" for recording all verbally approved **leave requests of less than 1 workday**. The informal log shall include the leave date, employee name, and number of hours requested.

Employees shall record leave approved verbally or by e-mail in the top portion of FSA-958 **immediately after approval, with no exceptions**. Employees, who receive e-mail approval, will print a copy of the e-mail and attach it to FSA-958 at the end of the pay period. Leave times shall be noted on the back of FSA-958 or on a State-approved FSA-958 alternative.

Office managers and supervisors who **do not elect** the above leave approval option shall continue to have all leave requests documented on SF-71.

Note: SED's, or a designee acting in that capacity, shall have the authority to revoke this option for an office or Service Center if it is reported and determined that employees within that office are abusing this policy option.

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3 General WS Policy (Continued)

F

Earning Credit Hours

Policy: Credit hours must be earned in 15-minute increments, **fractional minutes** cannot be carried forward and added to credit time worked on a subsequent workday or later the same day. Credit hours shall be earned **after** the employee completes their established work hours for the day with 1 exception.

Note: See subparagraph 6 C for further credit hour details.

Exception: An employee may elect to substitute credit hours for a.m work that would otherwise be eligible for overtime or compensatory time, but the work must be approved in advance, begin before the start of the employee's morning glide time, and the employee shall record these times under "Credit Hours" in the bottom portion of FSA-958.

An example of this might occur when an employee voluntarily requests to come into the office **before the start of their morning glide time** to prepare for a meeting or to work on computer related activities that are needed before clients and/or employees arrive at the office.

See 32-PM for overtime and compensatory eligibility information for exempt and nonexempt employees.

G

Approved FSA-956

Policy: Each employee must have an approved FSA-956 on file.

Continued on the next page

3 General WS Policy (Continued)

H

Recording on FSA-958

Policy: Employees shall record **on a daily basis**, their arrival and departure times, overtime, compensatory time, and credit hours using FSA-958. These WS logs shall **not** be completed in advance, **except** for the recording of pre-approved leave or unless otherwise instructed by NFC. At the end of the pay period, each employee shall certify the correctness of their FSA-958 by signing in ink and attaching all SF-71's, copy of leave approved by e-mail, and any other associated documentation before forwarding their FSA-958 to the timekeeper for data entry into PC-TARE.

Note: At the end of the pay period, office managers and supervisors, who have elected to approve leave of less than 1 workday verbally, shall forward a copy of the informal log to the timekeeper. The timekeeper will use the log to verify the accurate recording of leave on FSA-958's.

4 Maxiflex WS Definitions and Information

A

Maxiflex WS's

Maxiflex is a **flexible WS** and, by regulation, can take on many different forms and policies. FSA guidelines for maxiflex WS includes policy for official office hours, core hours, glide time, lunch breaks, credit hours, nonworkdays, FSA-956, FSA-958, and SF-71.

Also, maxiflex requires daily arrival flexibility. See subparagraph C for a definition of glide time.

B

Established Arrival Time

Established arrival time refers to the approximate clock time that the employee expects to arrive at work on any given workday as noted on their FSA-956. The employee's **actual** arrival time each workday may vary from their established arrival time by the amount of glide time that has been approved by their office manager or supervisor. If an employee arrives **after** their glide period has ended, then leave shall be charged.

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4 Maxiflex WS Definitions and Information (Continued)

C

Glide Time

Maxiflex's daily arrival flexibility will be termed by FSA as **glide time**. Office managers and supervisors are responsible for establishing "glide time" policy for the employees in their office or Service Center. For FT employees, their daily work hours plus allowable glide time must cover core hours each workday.

HRD recommends 30 minutes of glide time **before** and 30 minutes after the employee's established arrival time, but allowable glide time can be as short as 15 minutes.

Example: If a FT employee is approved for an established arrival time of **7:30 a.m.** on their FSA-956 and the supervisor establishes a policy of **30 minutes before/after glide time** for the office, then this employee is expected to:

- arrive at work between 7 a.m. and 8 a.m. (during glide time)
- work core hours, 9:00 a.m. to 3:30 p.m.
- take a 30-minute unpaid lunch break
- take leave if they arrive after 8 a.m.
- work established daily work hours.

Morning glide time shall not begin before 6:00 a.m. or end after 9:00 a.m.

Example: If an employee requests an established arrival time of 9:00 a.m. and the office allows 30 minutes before/after glide time, then this employee can only be allowed before glide time from 8:30 until 9:00 a.m.

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4 Maxiflex WS Definitions and Information (Continued)

D

Maxiflex Daily Work hour Policy

FT employees may request a daily WS of no less than 6 hours and no more than 10 hours, excluding their 30-minute unpaid lunch and credit hours. Also, a 9-hour or 10-hour workday may be followed by a 6-hour workday as long as the biweekly total work hours for a FT employee equals 80 hours.

PT employees may also request to work maxiflex. There are no minimum daily work hour requirements, but the maximum is 10 hours, **excluding** credit hours. If a PT employee works over 6 hours, they must take a 30-minute lunch. Their total work hours each pay period must equal the number of hours they are approved to work on a biweekly basis, no less than 32 hours and no more than 64 hours a pay period. PT employee's are not required to work core hours unless so directed.

E

Nonworkdays Per Pay Period

Managers and supervisors have the authority to limit scheduled nonworkdays to just **1 nonworkday** per pay period, but the maximum that can be requested and approved is **2**, if the employee is approved to work **maxiflex**.

F

Credit Hours

OPM regulations allow employees who work a flexible WS, i.e. maxiflex, to earn credit hours. Credit hours must be worked voluntarily and for a FT employee are hours worked in excess of their **established daily work hours** or in excess of an 80-hour pay period. A PT employee may also earn credit hours for those hours worked in excess of their established daily work hours or in excess of their approved biweekly work hours.

Note: Credit hour regulations do not allow more than **24 hours** of credit time to be brought forward from 1 pay period to the next. Credit hours **in excess of 24 hours** at the end of the pay period are automatically forfeited. See subparagraph 6 C for more detailed information on credit hours.

5 WS Responsibilities

A

Supervisory Responsibilities

Office managers and supervisors are responsible for:

- allowing the use of maxiflex WS's, where possible
 - establishing maxiflex **glide time** policy for their office, see subparagraph 4 C for glide time details
 - reviewing and approving FSA-956's for each employee
 - discussing alternate work schedule (AWS) options with an employee when a requested WS cannot be approved
 - maintaining a log for leave approved **verbally for less than 1 workday**
 - certifying all FSA-956's, SF-71's, FSA-958's, and PC-TARE T&A's
 - coordinating office coverage during official office hours with other Service Center managers
 - seeking advice from SED, DD, or the Administrative Officer (AO), if WS problems or questions arise
 - suspending or rescheduling an employee's WS when office coverage issues or an exigency of public business occurs
 - **ensuring coverage** of all FSA programs and operations during "official office hours" and maintaining FSA's high standards for program delivery and services.
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B

SED and DD Responsibilities

SED's, Acting SED's, and DD's shall:

- monitor the implementing of FSA WS's within their State Office or District
 - provide advice and take whatever action is necessary to ensure the efficient delivery of FSA programs and customer services.
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5 WS Responsibilities (Continued)

C

Employee Responsibilities

All FSA employees shall:

- complete FSA-956 to establish or change their WS
 - have FSA-956 approved by their office manager or supervisor before starting a new WS
 - not request a WS change from maxiflex to a fixed WS or vice-versa more than once during a 6-month period
 - keep a copy of their approved FSA-956
 - record on a **daily** basis their arrival and departure times, overtime, compensatory time, credit hours, and leave using FSA-958
 - **complete entire FSA-958**, hours in the top portion and week 1 and 2 totals at the end of the pay period
 - request and receive approval for all leave in advance, when possible
 - complete SF-71 for all leave requests, unless their office manager or supervisor has elected the new SF-71 option, see subparagraph 3 E
 - attach a copy of leave approved by e-mail to FSA-958
 - read the holiday pay rules, see subparagraphs 6 A and B
 - be responsible for **tracking their own credit hour balance** to avoid forfeiture at the end of a pay period
 - understand that using excess credit hours cannot be granted if coverage of “official office hours” or the mission of the agency is in jeopardy.
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6 Holidays and Credit Hours

A

Holidays on a Maxiflex WS

FT employees, who are approved to work **maxiflex**, are limited by law to **8 hours** of **holiday pay** on:

- a Federal holiday
- an **in-lieu-of holiday**
- day excused by Executive Order, unless otherwise defined.

If a holiday falls on an established workday of :

- **more than 8 hours**, the employee has the choice of either of the following:
 - verbally requesting a temporary WS change so that an **8-hour workday** falls on the holiday and making up the extra hour or hours on another workday within the **same** pay period
 - taking leave or using credit hours
- **less than 8 hours**, the employee may claim 8 hours of holiday pay and adjust their WS accordingly.

PT employees working a **maxiflex WS** may only receive holiday pay for the work hours they are approved to work on a day designated as a holiday, up to a maximum of **8 hours**. There is **no holiday pay entitlement** or in-lieu-of holiday entitlement when a holiday falls on a PT employee's established nonworkday.

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6 Holidays and Credit Hours (Continued)

B

Holidays on a Fixed WS

FT employees, who work either a **CWS 5/4/9** or **standard flexitour WS**, are entitled to holiday pay equal to the hours they are scheduled to work on a day designated as a holiday or in-lieu-of holiday. For a FT employee, this may be 8 or 9 hours.

PT employees working a **fixed WS** may only receive holiday pay for the work hours they are **scheduled** to work on a day designated as a holiday. There is **no holiday pay entitlement** or in-lieu-of holiday entitlement for PT employees if a holiday falls on a scheduled **nonworkday**.

Intermittent employees are not entitled to holiday pay.

C

Regulations and Policy for Credit Hours

Credit hours can only be earned by an employee approved to work a **maxiflex WS**.

Credit hours must be worked **voluntarily** and cannot be ordered or directed by management. The conditions for requesting and working credit hours shall be based on the **availability of appropriate work as determined by the office manager or supervisor**.

Credit hours:

- require prior supervisory approval before being:
 - earned
 - used
 - are earned and used in 15-minute increments
 - shall be earned **after** the employee completes their established work hours for the day, see exception subparagraph 3 F
 - are hours voluntarily worked in excess of an employee's established daily work hours or in excess of their approved biweekly work hours
 - accumulations of more than **24 hours** at the end of a pay period cannot be carried forward to the next pay period; excess credit hours are forfeited
 - may be earned and used in the same pay period
-

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6 Holidays and Credit Hours (Continued)

C

Regulations and Policy for Credit Hours

- must be earned **before** they can be used
 - cannot be earned:
 - on Saturday, Sunday, holidays, or any nonworkday
 - during core hours
 - while traveling, i.e. driving a car, but can be earned for **work** performed while in travel status per OPM regulation
 - balances are payable at the regular hourly rate if an employee resigns, retires, or transfers to a **fixed** WS or to another agency
 - may be earned by Federal employees, including “Schedule C” but may **not** be earned by Senior Executive Service (SES) employees.
-

7 Establishing WS and Recording Time

A

Request to Change WS

FSA-956 is available on the BBS Forms Library. All employee's requesting to establish or change their WS **must complete** FSA-956. Employees may not request a WS change from maxiflex to a fixed WS or vice-versa more than once during a 6-month period. Employees may not begin a newly requested WS until it has been approved by the office manager or supervisor. Each employee must have an **approved** FSA-956 on file.

FSA-956 requires that the employee:

- choose 1 of the following WS types:
 - maxiflex
 - standard flexitour
 - CWS 5/4/9
- establish a daily arrival and departure time
- indicate the number of hours to be worked each workday.

Employees may not begin a newly requested WS until it has been approved by their first line supervisor or someone acting in their place.

Note: Daily work hours, including maxiflex with allowable glide time, must cover the core hours between 9:00 a.m. and 3:30 p.m.

B

WS Conflicts

If work scheduling conflicts arise when establishing or changing a permanent WS, it is recommended that the employees involved be allowed to resolve the conflict.

If an agreement cannot be made between the parties involved, the office manager or supervisor shall make the final decision. When necessary, seniority with FFAS or its predecessor agencies shall be considered before the employee's service computation date (SCD) for leave.

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7 Establishing WS and Recording Time (Continued)

C

**Completing
FSA-958**

At the end of the pay period, each employee is responsible for calculating their daily work hours and entering those hours in the top portion of FSA-958. Employees are also responsible for adding the daily hours across to totals for “Week 1 & 2”. When FSA-958 has been completed, employees shall:

- sign and date
 - attach approved SF-71’s and e-mail
 - submit to the timekeeper for data entry into PC-TARE.
-

D

**Minute-to-
Minute Time
Accounting**

In the bottom portion of FSA-958, minute-to-minute time accounting shall be used in recording daily arrival and departure times for regular time, credit hours, overtime, and compensatory time. These time recordings will assist the employee in calculating their daily work hours for the top portion of FSA-958 at the end of the pay period.

Example: Employee’s working maxiflex, who are scheduled to work a 9-hour workday with a 30-minute lunch, arrive at work at 7:38 a.m., may depart exactly 9 hours and 30 minutes later at 5:08 p.m.

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7 Establishing WS and Recording Time (Continued)

E

Important Timekeeping Information

NFC requires that a specific WS code be entered into PC-TARE. This code varies depending on the type of WS the employee is approved to work. **It is imperative that this WS code be correct.** To enter this code, the timekeeper will:

- proceed to the PC-TARE main menu
- select option 1, “Add/Modify Master Record”
- refer to item 12, “Alternate Work Schedule”.

Timekeepers will enter 1 of the following WS codes into item 12:

- **maxiflex WS code for:**
 - **FT employees - “8”**
 - **PT employees - “7”**
- **CWS 5/4/9 - “5”**
- **standard flexitour - “blank” or “9”.**

Note: The correct WS code must be entered for employees working maxiflex otherwise the NFC payroll system will not recognize transaction codes “29” or “50” when used to report credit hours.
